



# **Jim Hughes**

## **State Representative, 24<sup>th</sup> House District**

Chair Manning, Vice-Chair Rezabek, Ranking Member Johnson, and members of the House Criminal Justice Committee, thank you for allowing me to testify on House Bill 63, or Judy's Law. The purpose of this bill is to narrowly create an enhanced penalty for felonious assault when the victim suffers permanent serious disfigurement or a substantial incapacity.

The need for this legislation came to my attention upon hearing the story of Franklin County resident Judy Malinowski, a young woman whose ex-boyfriend doused her with gasoline and set her on fire 576 days ago. Judy is still fighting for her life at a Columbus area hospital. She has had more than 50 surgeries and remains in critical condition.

Judy's ex-boyfriend was charged with aggravated arson, felonious assault and possession of criminal tools. Felonious assault carries a maximum sentence of 8 years, and because Ohio law merges sentences for charges that result from a single act, he was given the maximum sentence of only 11 years for the most serious count, aggravated arson. Judy has a life sentence.

House Bill 63 would add a sliding scale specification of 5-20 years that would allow judges to enhance felonious assault sentences for defendants whose victims suffer a permanent serious disfigurement or substantial incapacity, or if an accelerant is used in committing the offense.

Despite the severity of her injuries, Judy has made an effort to speak out about her story and warn other victims.

During the sentencing hearing for Judy's attacker, Judge Julie Lynch expressed frustration that she was unable to impose a longer sentence (see supporting Dispatch article).

In Judy's case, the judge and the prosecutor did their job as best they could under current law. It is now time for the legislature to do our job in ensuring that victims like Judy receive the justice that they deserve. Thank you again for allowing me to testify today and I would be happy to answer questions from the committee.

### **Committees:**

Civil Justice, Vice-Chair  
Transportation and Public Safety  
Financial Institutions

**[www.ohiohouse.gov](http://www.ohiohouse.gov)**  
**77 S. High Street, Columbus, Ohio 43215-6111**

### **Contact Information:**

Office: 614-466-8012  
FAX: 614-719-0007  
Email: [Rep24@ohiohouse.gov](mailto:Rep24@ohiohouse.gov)